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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/713,922	05/09/2003	Gayle Eysenring Jenkins	

1321
 LAVALLE D. PTAK
 LAW OFFICE OF LAVALLE PTAK
 28435 N 42ND STREET
 SUITE B
 CAVE CREEK, AZ 85331



CONFIRMATION NO. 6247

FORMALITIES LETTER



OC000000013322671

Date Mailed: 07/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

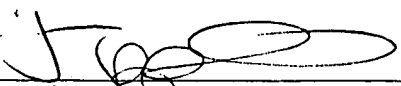
Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

09/14/2004 AWONDAF1 00000096 10713922

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65.00 0P



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gayle Eysenring Jenkins)
Serial No.: 10/713,922) Art Unit:
File Date : 5/9/03) Examiner:
For : BOTTLE HARNESS/DRINK DEPUTY) Confirmation No. 6247

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO:

COMMISSIONER OF PATENTS AND TRADEMARKS
Mail Stop Missing Parts
P.O. Box 1450 Alexandria, VA 22313-1450
ON 9/9/04

Date of Deposit

Gloria Guefmaeker
SIGNATURE

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION

In response to the notification letter mailed July 23, 2004,
applicant responds as follows:

Please incorporate the copy of the Declaration which was
originally filed with this application for the one which apparently
has been lost by the Patent Office.

REMARKS

Enclosed is applicant's check in the amount of \$65.00 as an
additional fee for a declaration surcharge. Also enclosed, as
noted above, is a copy of the declaration which was originally was
filed with all of the original papers of this application. This

1 declaration clearly refers to the previously-filed provisional
2 application Serial No. 60/468,969, filed on May 9, 2003.

3 Applicant respectfully submits that the declaration was included
4 with all of the original papers for this application, filed by
5 Express Mail on April 30, 2004, and received in the Patent Office
6 mail room on May 1, 2004.

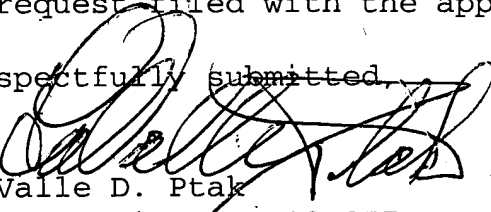
7 Enclosed with this correspondence is a copy of the Notice to
8 File Missing Parts of Non-Provisional Application, clearly
9 referencing the above identified application. In addition,
10 applicant is enclosing copies of two other notices, also mailed on
11 the same date, July 23, 2004, namely a "Withdrawal of Previously
12 Sent Notice" and "Decision Granting Request to Convert to Non-
13 Provisional". Applicant respectfully submits that the paper
14 entitled of "Withdrawal of Previously Sent Notice" was confusing,
15 since it refers to a notice allegedly mailed on June 19, 2004, but
16 no such notice was ever received by applicant.
17

18 In view of the foregoing, applicant respectfully submits that
19 the "Notice to File Missing Parts of Non-Provisional Application"
20 is incorrect, or inappropriate. Applicant respectfully requests
21 refund of the late fee surcharge which is enclosed herewith, since
22 applicant respectfully submits that all of the necessary papers
23 were filed together at the time of the filing of the application.
24 Applicant attempted to resolve this matter by a telephone call to
25
26

1 Janice L. Tippet (703)308-0910; but applicant only succeeded in
2 reaching a voice mail box, and there was no return of applicant's
3 message.

4 Finally, a filing receipt of the present application was sent
5 to applicant, dated July 23, 2004, referring to missing parts and
6 also indicating that no non-publication request had been sent. As
7 with the declaration mentioned above, applicant also submitted a
8 non-publication request, a copy of which is enclosed with the other
9 papers mentioned above. The filing receipt should be corrected to
10 state that a non-publication request has been made, since a proper
11 one was included with the original papers at the time of filing
12 this non-provisional application. A copy of the filing receipt
13 marked with the correction is enclosed, along with a copy of the
14 original non-publication request filed with the application.
15

16 Respectfully submitted,


17
18 LaValle D. Ptak
19 Registration No. 19,877
20 LAW OFFICES OF LAVALLE D. PTAK
21 28435 N. 42nd Street
22 Cave Creek, AZ 85331
23 Telephone: (480) 419-9019

24 Date: 7/9/04
25
26

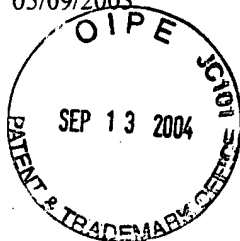


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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/713,922	05/09/2003	Gayle Eysenring Jenkins	

1321
 LAVALLE D. PTAK
 LAW OFFICE OF LAVALLE PTAK
 28435 N 42ND STREET
 SUITE B
 CAVE CREEK, AZ 85331



CONFIRMATION NO. 6247

WITHDRAWAL NOTICE



OC000000013322591

Date Mailed: 07/23/2004

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

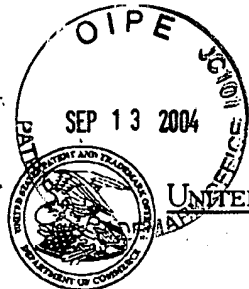
The Notice mailed on 06/19/2003 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
60/468,969	05/09/2003	Gayle Darlene Eysenring Jenkins	

CONFIRMATION NO.

Gayle D. Eysenring Jenkins
 10337 W. Cheryl Drive
 Sun City, AZ 85351



OC000000013322589

Date Mailed: 07/23/2004


DECISION GRANTING REQUEST TO CONVERT TO NON-PROVISIONAL

This is a decision on the request under 37 CFR 1.53(c)(3) received in the U.S. Patent and Trademark Office on **05/01/2004**, to convert the above-identified application to a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b).

The request is granted.

The application will be processed in the Office of Initial Patent Examination (OIPE) as a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b), including the assignment of a new non-provisional application number.

The non-provisional application number is **10/713,922**. The filing receipt for the non-provisional application number will be mailed to the applicant by OIPE in due course.


 JANICE L TIPPETT
 Office of Initial Patent Examination
 (703) 308-0910

PART 1 - ATTORNEY/APPLICANT COPY